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Counsel for Defendant Welch Foods Inc.

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA**

CURTIS HANSON, on behalf of himself, all
others similarly situated, and the general public,

Plaintiff,

v.

WELCH FOODS INC.,

Defendant.

Case No. 3:20-cv-02011-JCS

JOINT STATUS REPORT

Judge: Hon. Joseph C. Spero

JOINT STATUS REPORT

Pursuant to the Court's July 14, 2022 Order (Dkt. No. 70), Plaintiff Curtis Hanson, and Defendant Welch Foods, Inc., respectfully submit this Joint Status Report addressing the status of the distributions to class members and the anticipated filing date of the post-distribution accounting called for by paragraph 21 of the Order Granting Final Approval (Dkt. No. 68).

The Class Administrator, Postlethwaite & Netterville, PAC ("P&N"), commenced settlement distributions to Class Members with valid claims on June 8, 2022. The deadline for Class Members to clear payments (*i.e.*, to deposit a paper check or claim an electronic payment) is December 5, 2022 (180 days after the payments were issued). Only after this date passes will P&N and the parties know how much remains in the common fund to be distributed *cy pres*. (See Dkt. No. 59-1, Settlement Agreement ¶¶ 4.5, 5.15.) And it is only once the *cy pres* funds are distributed that the parties will have all the information required to be in the Post-Distribution Accounting. Accordingly, the parties anticipate filing the final Post-Distribution Accounting on or before December 19, 2022, which is two weeks after the 180-day deadline for Class Members to clear their payments. Notwithstanding, the parties provide below an interim report showing the current status of distributions.

Exhibit 1: Settlement Distribution Accounting (as of July 19, 2022)

Description	Value
Total Class Members	3,200,000 (est.)
Total Value of Settlement Fund	\$1,500,000
Injunctive Relief	Defendant's agreement to remove certain "health & wellness" claims from challenged product labels.
Type of Notice	Digital (Online and Social, Publication, Press Release, Public Website)
Exclusions Filed	7
Exclusions as a Percent of the Class	0.0002%
Objections Filed	0
Objections as a Percentage of the Class	0.00%
Total Claims Submitted	193,317
Total Claims Submitted as a Percentage of the Class	6.04%
Total Valid Claims Submitted	155,845

Exhibit 1: Settlement Distribution Accounting (as of July 19, 2022)

Description	Value
Total Valid Claims Submitted as a Percentage of the Class	4.87%
Administrative Costs and Fees to Date	\$312,542
Administrative Costs and Fees Expected/Remaining	\$12,115
Total Administrative Costs and Fees	\$324,658
Class Counsel Fees and Expenses	\$399,301
Class Counsel Fees (\$375,000) as Percent of Fund	25.00%
Method of Payment to Class Members	Cash Award via Check & Digital Payments
Total Payments to Valid Claims	155,845
Total Dollars Distributed to Claimants	\$771,331.75
Average Payment	\$4.95
Median Payment	\$5.38
Smallest Payment	\$0.44
Largest Payment	\$44.41
Number of Payments Not Cleared	16,334
Dollar Amount of Payments not Cleared	\$79,535.04
Cy Près Payment to American Heart Association	TBD

Date: July 20, 2022

Respectfully submitted,

/s/ Jack Fitzgerald**FITZGERALD JOSEPH LLP**

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I hereby attest that, pursuant to N.D. Cal. Civ. L.R. 5-1(i)(3), the concurrence to the filing of this document has been obtained from each signatory hereto.

/s/ Jack Fitzgerald
Jack Fitzgerald